

speculation and takes care in relating the research of a particular area to the broader questions and concerns of political science.

DAVID T. CATTELL
University of California, Los Angeles

SOVIET PENAL POLICY. A Background Book. By *Ivo Lapenna*. Chester Springs, Penn.: Dufour Editions, 1968. 148 pp. \$3.50.

Dr. Lapenna, a reader in Soviet law at the University of London, intends this book to be "a basic guide to Soviet penal policy" (p. 12). About half of it is devoted to a summary and evaluation of the main features of present-day Soviet criminal law and procedure, and about half to their historical and theoretical background in the period from 1917 to the death of Stalin.

The summary, though very short, is excellent. The evaluation, on the other hand, is almost entirely one-sided. Only toward the end does the author say a word in favor of Soviet penal policy—namely, that the "tremendous attempt to mobilise society [for the eradication of crime] certainly represents a positive approach to the problems of crime prevention" (p. 136). But in the few pages where this approach is discussed, the emphasis is on its limitations rather than its achievements. Lapenna finally concludes (pp. 145–46) that there is lacking in the Soviet Union a genuine system of law, a system of guarantees for the correct implementation of law, and the minimum legal standards recognized by civilized nations.

In reaching these conclusions, the author makes a considerable number of doubtful, or at least controversial, assertions without giving any supporting evidence; for example, he states that "important legal texts," including the latest edition of the Criminal Code, "are simply not available" even to lawyers (p. 53), that sentence by collectives of workers under the 1961 antiparasite law "in practice meant [sentence by] the local party officials" (p. 63), that Soviet advocates have "very poor professional standards" (p. 112), and that the procuracy is "itself a source of illegalities on many occasions" (p. 145). Some other statements are not only doubtful but simply incorrect: 19.1 percent of all professional judges are "without legal training" (p. 108) (the correct figure is something like 1 or 2 percent); "until recently" the doctrine of analogy "was defended by all who wanted to conform to the official political line" (p. 34) (in fact, it came under severe criticism by leading Soviet jurists in the late 1930s and again in the immediate postwar period).

Published in the Dufour Background Books Series, *Soviet Penal Policy* does not cite sources of data and does not attempt to be comprehensive. That being so, it would seem to this reviewer—perhaps because he does not share Lapenna's low opinion of the Soviet legal system—that the author should at least have discussed alternative evaluations of the materials he presents.

HAROLD J. BERMAN
Harvard University